

OSBORNE MUST GO BY TUESDAY OR BE OUSTED

Riley Awaiting Word from Whitman to Make Removal.

VIOLATED OATH, SAY ACCUSERS

Sing Sing Conditions Are Called Shocking—Welfare League Involved.

WARDEN IS DEFIANT

Denies He Disobeyed Orders—Revolt in Prison May Follow His Dismissal.

[From a Staff Correspondent of The Tribune.] Albany, Aug. 4.—Unless Thomas Mott Osborne, warden of Sing Sing, tenders his resignation he will be removed on Tuesday. So The Tribune has been informed by one in authority.

"Warden Osborne has subjected Sing Sing to this mistakes of judgment and defects of temper," to quote from The Tribune's editorial calling for his removal—long enough," said a high official of the administration.

"John B. Riley, the Superintendent of Prisons, is only waiting the word from Governor Whitman to remove him."

Mr. Whitman left Albany last night for a four days' rest at Newport. When he returns, it is said, he will order Warden Osborne's removal if Mr. Osborne has not resigned in the meantime.

Mr. Osborne could be ousted for violating his constitutional oath of office. This violation has occurred, according to documents in possession of Superintendent Riley.

He has, by his own admission, violated the Penal Code, which expressly provides that condemned prisoners shall be kept in solitary confinement in the death house until executed, and none but relatives, counsel, prison officials and clergymen admitted.

It was stated here to-day that in addition to allowing members of the Mutual Welfare League in the death house Warden Osborne escorted Billy Sunday and a companion of the evangelist there and introduced them to the prisoners.

It is also said that when Mr. Osborne permitted convicts to visit the sick beds and attend the funerals of the dead and fellow criminals he violated the law.

Shocked by Prison Conditions. But far more serious than all these things, which Warden Osborne did in his mistaken conception of humanitarianism—for this is the charitable view taken here—is the condition of Sing Sing itself.

"Sing Sing is the vilest and most immoral hole in the world," said a man conversant with the situation.

"Only rumors of the true conditions have reached Governor Whitman and Superintendent Riley. But the facts have been collected in affidavit form by a state official and will be submitted to the Governor."

From what The Tribune correspondent learned from a high state official, who knows what these affidavits contain, the depraved conditions in Sing Sing are known to certain leading members of the Mutual Welfare League. Warden Osborne's prisoners' conditions and many of the Mutual Welfare Leaguers are concerned in them.

Since members of the Mutual Welfare League—convicts—have been used to escort visitors around the prison, friends of convicts, or at least friends of the Mutual Welfare League, have been frequent visitors. These women, many of them known to the police, have been shown to the cells of certain convicts, according to information here.

Hails "Plans for Boys." That Mr. Riley is dissatisfied is no secret. He has written to Warden Osborne frequently, ordering that he give up some of his "plans for the boys." When the superintendent called the warden's attention to the fact that there is nothing in the law to allow a prisoner to be taken to visit sick relatives or friends, or to attend funerals, Mr. Osborne wrote back that no matter what the law said it could always be so construed as to permit a humanitarian act. Mr. Riley answered that no construction could be placed on the law to allow convicts to be sent to New York City or elsewhere on these sick and death visits.

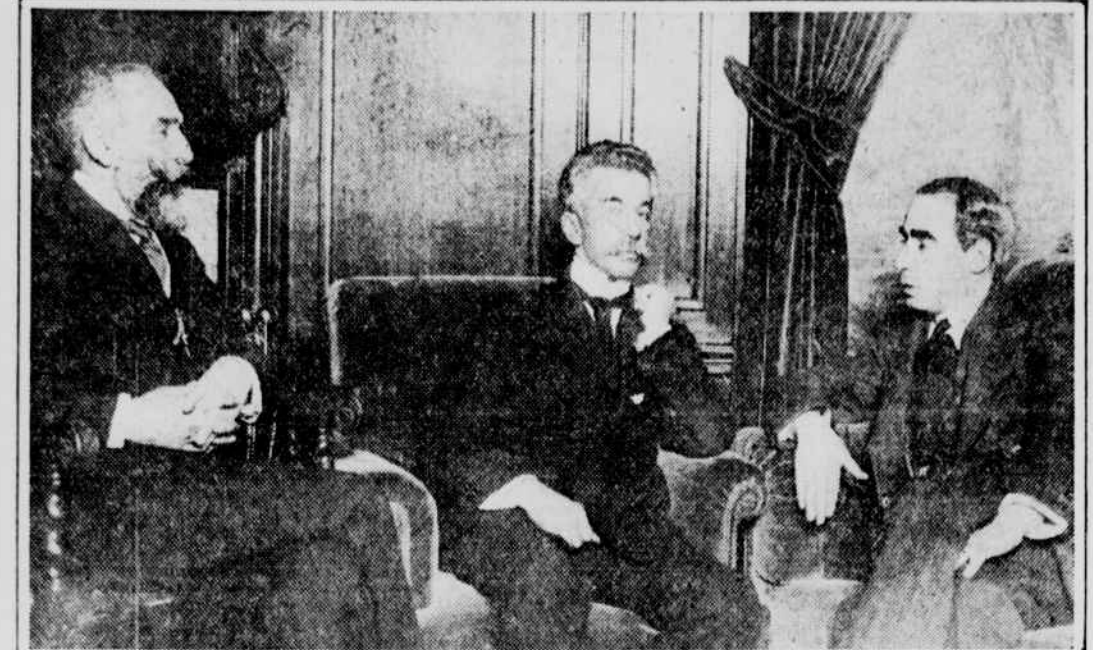
Mr. Riley objects to the freedom Mr. Osborne allows to the prisoners in the matter of dress. It is not impossible to distinguish a Sing Sing convict from a civilian. A convict rigged out in an excellent summer attire under the prison system, might be mistaken for an honest man enjoying his vacation. It was this garb that made it easy for the murderer and the two white slaves, who recently escaped, to avoid detection.

Prisoners May Revolt When Osborne Goes. Warden Osborne stood pat yesterday when the question of friction between himself and John B. Riley, Superintendent of Prisons, was brought up. Early in the day, at the Belmont, referred to a statement that he had violated Riley's orders in allowing prisoners to attend the funerals of close relatives, he said:

"I have never disobeyed any order of Mr. Riley's. There have been no leaves of absence since he ordered them stopped."

Returning to Sing Sing, he refused to discuss either the prison conditions

THE A. B. C. MEXICAN PEACE ENVOYS.



President Wilson has turned to them for aid in settling the Mexican problem. Left to right, they are—Senator Don Eduardo Suarez Mujica, Ambassador from Chile; Senator D. Da Gama, Brazilian Ambassador, and Senator Romulos Naon, Argentine Ambassador.

ALL THE POWERS TO INTERVENE, MEXICAN PLAN

Wilson Approves Proposals To Be Submitted to Pan-Americans.

WARRING LEADERS GET LAST CHANCE

General Scott Sends Battery of Field Artillery to El Paso—Juarez Attack Feared.

[From The Tribune Bureau.] Washington, Aug. 4.—President Wilson, it was learned to-day, has already approved the proposals which Secretary Lansing will submit to the Pan-American conference at the State Department in the effort to bring about peace in Mexico. These proposals provide that after a stipulated time has been allowed the factions to get together their failure to do so will be followed by "diplomatic intervention" by all the powers represented at the conference.

This "diplomatic intervention" will take the form of a formal recognition of a man or group of men acceptable to a majority of the factionists and faithful to the ideals of the Madero revolution. This will be preceded or followed by an embargo on arms and ammunition destined for forces hostile to the recognized government.

The views of the Argentine, Brazilian and Chilean ambassadors are already known, and it is understood the Ministers of Bolivia, Uruguay and Guatemala are in accord. The State Department is regarded as certain of unanimous approval.

Before this plan is put into effect, however, Carranza, Villa and Zapata must receive a last chance to compose their differences. It is being said that Carranza, it is being said, has said he would accept to any plan that eliminated Carranza. On the other hand, Carranza has repeatedly stated that he would not make any terms with his adversaries.

Carranza to Make Demand. Carranza, it is understood here, intends to present a demand for recognition to the State Department, but the department will refuse to act on it unless recommended by the Latin-American powers.

Paul Fuller, one of the special representatives sent by President Wilson to Mexico, has been invited by Secretary Lansing to take part in the conference. Duxal West, who recently returned from a similar mission, also may be asked to participate.

One battery of field artillery, consisting of four 3-inch guns and 120 men, was ordered from Fort Sill, Oklahoma, to El Paso to-day. General Scott, Chief of Staff of the United States Army, said he had decided to send the battery to the border as a measure of precaution.

The move caused great speculation here, as it is the first time in nearly a year it has been thought necessary to station artillery at El Paso. Students of the situation say it is evident the government is expecting trouble.

El Paso is the point from which the Cientifico groups, headed for the most part by Victoriano Huerta, have planned to launch their junta. Juarez is directly across the Rio Grande from El Paso, and there is fear of an attack on the city by Carranzista forces. General Funston has orders to "repel any firing over the line," and in the event of an attack on Juarez he would doubtless have use for the field pieces sent him to-day.

Rushing Food to Capital. The State Department to-day announced that telegraphic communication with Mexico City had been re-established, and that the railroad from Vera Cruz soon would be in order. Twelve carloads of foodstuffs are on their way to the capital.

Conditions in Mexico City are described as appalling. People are dying of starvation daily, and the poor are subsisting on the most revolting forms of food.

A decree was issued by the military government yesterday ordering the inhabitants of the city to deliver their arms within five days. The Brazilian Minister is under instructions from the States Department to see that such requisitions do not apply to Americans.

General Carranza telegraphed his representative here to-day as follows: "I am just in receipt of a detailed report from General Obregon regarding the defeat inflicted by him on the Villistas at Aguascalientes. As a result of this combat the Constitutionalists captured 33 locomotives, 3,000,000 rounds of small arms ammunition, more than 2,000 rifles, with horses and other war paraphernalia."

It is estimated that the losses of the

VANDALS SHUT DUKE PARK

Tobacco Man Spent \$100,000 a Year; Public Failed Him.

Somerville, N. J., Aug. 4.—Continued vandalism by visitors has forced James B. Duke to close his estate here to the public. A large automobile party from Richmond, Penn., was responsible for the order. They picked on the lawn in front of the Duke mansion, disregarding the warning signs, and when they left the grass was littered with papers and bottles and beds of rare flowers had been trampled.

Mr. Duke has spent about \$100,000 a year in maintaining the park and insists that a lack of co-operation by the public has made it necessary to close it.

'MODEL' EMPLOYEE CALMLY VANISHES WITH \$22,000 CASH

Gets Bills for Booth & Flinn Payroll and Eludes Assistant.

[From The Tribune Bureau.] Washington, Aug. 4.—Reiterating its right to sink American vessels carrying contraband the German government, in its answer to the American note protesting against the sinking of the ship William P. Frye, declares that its treaty with this country merely obliges it to make compensation. The contention of the United States was that the sinking of the Frye was a violation of the treaty between this country and Prussia. The German government rejects this contention and indicates that there is not much chance of agreement as to the interpretation of the existing treaties.

The German note was made public by the State Department to-day. It insists that the commander of the auxiliary cruiser Prinz Eitel Friedrich acted in the legal exercise of the right of control of trade in contraband enjoyed by warships of belligerent nations, the German government being called on only to pay for the damage sustained by American citizens.

It is asserted that a German prize court found that the sinking of the Frye was justified, but was unable to fix the indemnity, as it had no data before it. This government refused to accept the sending of the Frye case to a German prize court and protested against it.

"It will now be necessary to settle these points in a different way," says the German note. "The German government suggests as the simplest way that each of the two governments designate an expert, and that the two experts jointly fix the amount of indemnity for the vessel and any American property which may have been sunk with her. The German government will promptly pay the amount of indemnity thus ascertained. It expressly declares, however, reverting to what has been stated above, that this payment does not constitute satisfaction for the violation of American treaty rights, but a duty of policy of this government founded on the existing treaty stipulations."

Should the American government not agree to this manner of settling the matter the German government is prepared to submit the difference of opinion as being a question of the interpretation of the existing treaties between Germany and the United States to the tribunal at the Hague, pursuant to Article 38 of The Hague convention for the pacific settlement of international disputes."

A deadlock has been reached between the two governments. While no decision as to the course that will be pursued has been arrived at by the State Department, it was evident to-day that recourse would eventually be had to arbitration.

The German note in effect covers the Leelanaw case, and it indicates clearly the attitude Germany will take in dealing with the sinking of that American vessel, and that on this point the difference of opinion to the Hague tribunal.

The question at issue between the two governments is the interpretation of Article 13 of the Prussian-American treaty of 1799, which was revived by the treaty of 1828. This article provides for the detention of a ship and cargo for such time as the belligerent may think necessary, and for the taking over of the war stores for his own use by paying their full value. The right of sinking is not mentioned in the treaty, and Germany asserts that it is neither expressly permitted nor expressly prohibited, so that on this point the treaty stipulations must be supplemented by the general rule of international law.

The German government says that it is not disputed by the American government that, according to general principles of international law, a belligerent is authorized to sink neutral vessels under almost any conditions for carrying contraband. The law on which Germany depends to support its contention.

Kindred's only relative is believed to be his father, a San Francisco lawyer.

HUMAN FREAK DIES TO BALK SURGEONS

Man with Misplaced Vital Organs Kills Himself in Fear of Dissection.

[By Telegraph to The Tribune.] Philadelphia, Aug. 4.—Haunted by the fear that surgeons were trying to obtain his body for anatomical purposes, William Guttmiller, fifty-five years old, committed suicide at his home to-day by drinking poison. He was known to the medical profession of this and many other cities as a physical freak, because his heart was on the right side and his liver on the left. Not only were his heart and liver on the wrong side, but several other vital organs occupied unusual positions.

Following a visit to a New York hospital, Guttmiller told a friend that the institution had offered him \$2,000 if he spent the rest of his life there and let them study him.

"Don't accept it," the friend said, "because they want to dissect you. This so preyed on Guttmiller's mind that he decided to kill himself."

Guttmiller's body was found in his room, and an ambulance took the girl to the Cambridge Relief Hospital.

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AUTO AND \$475 COIN ABANDONED IN STREET

Company Says He Never Drank or Smoked and Had Highest Recommendations.

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GERMAN SPY HELD FOR BRITISH FORGERY

I. T. T. Lincoln, Former M. P., Will Be Deported for Alleged \$5,500 Theft.

Ignatius T. T. Lincoln, whose correct name is said to be Ignatius Trebitch, a former member of the British Parliament and a self-confessed German spy, spent last night in the Raymond Street jail, in Brooklyn.

His arrest is for forgery, two charges having been lodged against him by an English firm. He is said to have gotten away with \$5,500.

Postoffice Inspector Jacobs, a deputy United States marshal and several detectives, who have been on his trail since the publication in a Sunday newspaper of his former connection with the German spy system, arrested him last night at 518 Decatur Street, Brooklyn.

When "Lincoln's" exposure was published English papers attacked his record in the hope of discrediting belief in his accusations. An old charge was brought to light, however, and his arrest was made on that. He will be held in the Brooklyn jail awaiting extradition.

It was learned, however, that while Kindred had been a trusted employee of the construction company other employees said that Kindred's manner showed no strain or suggestion that he was planning the robbery.

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GERMANY WILL PAY FOR FRYE ONLY AS DUTY

Insists Sinking American Ship Violated No Treaty.

WOULD AGREE TO ARBITRATE

Reply to Washington Protest Gives Little Hope of Agreement.

DISPUTE IN DEADLOCK

Berlin Reiterates Right Under Law of Nations to Destroy Neutral Vessels.

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Answer to Notes on Blockade and Sea Trade Ready Within Week.

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As the latest British note was dated July 31, and was received only three days ago, the inference is that the United States will send substantially the note formulated more than six weeks ago, which reiterates the contentions of March 30 that neutral coasts cannot legally be blockaded and, therefore, that non-contraband American commerce with such ports must not be molested.

This inference is supported by statements from officials intimately acquainted with the government's procedure. They say the United States will make in this note one more effort to bring Great Britain to an appreciation of its point of view, but frankly confess they see little hope of accomplishing it.

The general belief is that the matter will ultimately go before an arbitration tribunal. The two governments are at cross purposes on two main points, both of which concern vitally the interests of their nationals.

At Odds on Blockade Legality. The academic question of the legality of the blockade itself is one on which no agreement is possible, officials believe. Great Britain maintains that she is violating no fundamental principle in declaring a blockade of neutral coasts, since her only objective is enemy commerce.

The propriety of basing prize court decisions on British Orders in Council is another moot point, the United States contending that such orders cannot be regarded as part of international law and, therefore, inadmissible as law before prize courts, while Great Britain holds that prize courts are subject to the instructions of their own sovereign, referring to American precedents for this ruling.

It is understood that the United States will offer considerable new material in the way of precedents and cases to controvert the British argument and will try to adjust the matter by diplomatic means.

In the caveat issued to Great Britain on July 14 the United States announced that it would not be bound by the decisions of the British prize courts based on the Orders in Council, but would insist on a settlement of the cases without reference to any municipal law of the British Empire. It is the purpose of the government to insist on this principle in its coming note.

Would Yield One Point. Some officials believe that this government should yield the point of prize court jurisdiction and should permit the English courts to try the cases in their own way before entering protest. Japan was asked to await the decision of the Supreme Court.

More recently the Montenegro government protested, through the Russian Ambassador, the arrest of certain Montenegrins charged with creating in violation of American neutrality. Russia was asked to withdraw its protest.

Patriotic Meetings Held. Patriotic meetings were held everywhere throughout the afternoon to reaffirm Great Britain's intention to prosecute the war to a successful conclusion.

As in London, so throughout the British Empire, the people united in prayerful observance of the anniversary of the declaration of war against Germany. In virtually every city and town in the British Isles, as well as in all parts of the dominions and colonies overseas, the day was one of intensest prayer, with meetings of communion and prayer, with the aid of the Almighty for ultimate victory in a cause which the British peoples consider just and righteous.

Russians Flee Forts Along Warsaw Front

14,398,000 EUROPE'S WAR LOSS TO MAY 31, SAY FRENCH EXPERTS

[By Cable to The Tribune.] Paris, Aug. 4.—The losses of Europe in the war up to May 31, as compiled by the French Ministry of War, are as follows:

	Killed.	Wounded.	Prisoners.	Total.
France	460,000	660,000	1,300,000	4,710,000
England	181,000	200,000	90,000	471,000
Belgium	49,000	49,000	15,000	113,000
Russia	1,250,000	1,680,000	850,000	3,780,000
Germany	1,630,000	1,880,000	490,000	4,000,000
Austria	1,610,000	1,865,000	910,000	4,385,000
Turkey	110,000	144,000	95,000	349,000
Totals	5,290,000	6,478,000	2,630,000	14,398,000

This table was prepared for publication early in June, but was withheld because the French authorities feared the enormity of the figures might have a bad moral effect on the people. The computations, while probably not exact, may be considered the most complete record of losses so far put together. The losses of Serbia are not available, but as that country has suffered from plague in addition to war they must be large.

The largest total loss is charged to Austria-Hungary; the largest proportionate loss to Belgium. Enough persons have been killed to populate a country like Sweden.

Since May 31 there have been many violent battles to swell the totals given—the French offensive north of Arras, where 15,000 are said to have been slain, the Austro-Italian engagements, the great battle in Galicia and the German offensive in the Argonne.

The most astounding feature of this table is the ratio of killed to wounded. In previous months was the number of wounded has been to the number of dead as four or five to one. Here the two categories are much more nearly equal. Many of the wounded have joined their regiments, but many are crippled for life. The sick, who have been numerous in all the armies, are not listed here.

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Fall Back on City as Bavarians Occupy Blonie Line

Petrograd, Aug. 5.—An official statement issued from General Headquarters admits that the Russians have retired from the Blonie-Nadarzyn line on Warsaw.

[By Cable to The Tribune.] London, Aug. 4.—The first signs on the fighting line that Russia is ready to carry out her announced intention of evacuating Warsaw came to-day with reports from both Petrograd and Berlin of a contraction of the lines at the point of the Polish salient.

Berlin claims to-night that the Russians have been driven back to the advanced defenses of Lomza, that the Narew has been crossed near Ostrolenka, that, driven out of their Blonie positions, the Russians have fallen back into the outer lines of Warsaw, which the Bavarians are attacking, and that the Austrians have captured the western part of the fortress of Ivangorod.

This series of movements is expected to culminate in the German occupation of the Polish capital, and